

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2248*

House Bill No. 2656

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following as a new subsection:

(bb)

(1) Notwithstanding this section to the contrary, there is no release eligibility for a person committing an offense, on or after July 1, 2022, that is enumerated in subdivision (bb)(2). The person shall serve one hundred percent (100%) of the sentence imposed by the court undiminished by any sentence reduction credits the person may be eligible for or earn. The person is permitted to earn credits for which the person is eligible, and the credits may be used for the purpose of increased privileges, reduced security classification, or for any purpose other than the reduction of the sentence imposed by the court.

(2) The offenses to which subdivision (bb)(1) applies are:

- (A) Aggravated assault, as defined in § 39-13-102;
- (B) Vehicular homicide, as defined in § 39-13-213;
- (C) Aggravated vehicular homicide, as defined in § 39-13-218;
- (D) Possessing a firearm or antique firearm during commission or attempt to commit a dangerous felony, as defined in § 39-17-1324;
- (E) Attempted first degree murder, as defined in § 39-13-202, where the victim suffers serious bodily injury, as defined in § 39-11-106;
- (F) Aggravated kidnapping, as defined in § 39-13-304;



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(G) Especially aggravated kidnapping, as defined in § 39-13-305;
(H) Aggravated robbery, as defined in § 39-13-402;
(I) Especially aggravated robbery, as defined in § 39-13-403;
(J) Carjacking, as defined in § 39-13-404;
(K) Aggravated burglary, as defined in § 39-13-1003;
(L) Especially aggravated burglary, as defined in § 39-13-1004;
(M) Aggravated arson, as defined in § 39-14-302; and
(N) The manufacture, delivery, or sale of a controlled substance, as defined in § 39-17-417, where the instant offense is classified as a Class A, B, or C felony and the person has two (2) or more prior convictions for the manufacture, delivery, or sale of a controlled substance classified as a Class A, B, or C felony, pursuant to § 39-17-417, prior to or at the time of committing the instant offense.

(3)

(A) "Prior conviction" means, for purposes of this subsection (bb), unless the context otherwise requires, that the person serves and is released or discharged from, or is serving, a separate period of incarceration or supervision for the commission of the applicable offense listed in subdivision (bb)(2)(N).

(B) "Prior conviction" includes convictions under the laws of any other state, government, or country that, if committed in this state, would constitute the applicable offense listed in subdivision (bb)(2)(N). If a relevant offense in a jurisdiction other than this state is not identified as the applicable offense listed in subdivision (bb)(2)(N) in this state, then it is considered a prior conviction if the elements of the felony are the same as the elements for the applicable offenses listed in subdivision (bb)(2)(N).

(C) "Separate period of incarceration or supervision" includes a sentence to any of the sentencing alternatives set out in § 40-35-104(c)(3)-(9). The applicable offense listed in subdivision (bb)(2)(N) is deemed as having been committed after a separate period of incarceration or supervision if the offense is committed while the person was:

(i) On probation, parole, or community correction supervision for the applicable offense listed in subdivision (bb)(2)(N);

(ii) Incarcerated for the applicable offense listed in subdivision (bb)(2)(N);

(iii) Assigned to a program whereby the person enjoys the privilege of supervised release into the community, including, but not limited to, work release, educational release, restitution release, or medical furlough for the applicable offense listed in subdivision (bb)(2)(N); or

(iv) On escape status from any correctional institution when incarcerated for the applicable offense listed in subdivision (bb)(2)(N).

SECTION 2. Tennessee Code Annotated, Section 40-35-501(j), is amended by deleting the language "on or after January 1, 2008" and substituting "on or after January 1, 2008, and before July 1, 2022".

SECTION 3. Tennessee Code Annotated, Section 40-35-501(k)(1), is amended by deleting the language "on or after July 1, 2010" and substituting "on or after July 1, 2010, and before July 1, 2022".

SECTION 4. Tennessee Code Annotated, Section 40-35-501(k)(2), is amended by deleting the language "on or after January 1, 2008" and substituting "on or after January 1, 2008, and before July 1, 2022".

SECTION 5. Tennessee Code Annotated, Section 40-35-501(k)(5), is amended by deleting the language "on or after July 1, 2013" and substituting "on or after July 1, 2013, and before July 1, 2022".

SECTION 6. Tennessee Code Annotated, Section 40-35-501(k)(7), is amended by deleting the language "on or after July 1, 2013" and substituting "on or after July 1, 2013, and before July 1, 2022".

SECTION 7. Tennessee Code Annotated, Section 40-35-501(k)(8), is amended by deleting the language "on or after July 1, 2015" and substituting "on or after July 1, 2015, and before July 1, 2022".

SECTION 8. Tennessee Code Annotated, Section 40-35-501(t), is amended by deleting the language "on or after July 1, 2016" and substituting "on or after July 1, 2016, and before July 1, 2022".

SECTION 9. Tennessee Code Annotated, Section 40-35-501(u)(1), is amended by deleting the language "on or after January 1, 2017" and substituting "on or after January 1, 2017, and before July 1, 2022".

SECTION 10. This act takes effect July 1, 2022, the public welfare requiring it, and applies to offenses committed on or after that date.

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Comm. Amdt. _____

AMEND Senate Bill No. 168*

House Bill No. 1911

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-203(c), is amended by deleting subdivision (2) and substituting:

(2) An offense involving a cock under subdivisions (a)(1)-(3) is a Class E felony.

SECTION 2. Tennessee Code Annotated, Section 39-14-203, is amended by deleting subsection (d) and substituting:

(1) A violation of subdivision (a)(4) is a Class A misdemeanor. Notwithstanding § 40-35-111(e)(1), the fine for a violation of subdivision (a)(4) involving a cock shall be not less than one thousand dollars (\$1,000) nor more than two thousand five hundred dollars (\$2,500).

(2) A violation of subdivision (a)(5) is a Class A misdemeanor. Notwithstanding § 40-35-111(e)(1), the fine for a violation of subdivision (a)(5) shall be not less than one thousand dollars (\$1,000) nor more than two thousand five hundred dollars (\$2,500).

(3) A violation of subdivision (a)(6) is a Class A misdemeanor.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it, and applies to any offense committed on or after that date.



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AMEND Senate Bill No. 1546*

House Bill No. 1459

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-150, is amended by adding the following as a new subsection:

(n)

(1) Following the arrest of a person for the offense of aggravated assault, under § 39-13-102(a)(1)(i), (a)(1)(iii), or (a)(1)(iv), in which the alleged victim of the offense is a domestic abuse victim as defined in § 36-3-601, the court or magistrate shall make a finding whether there is probable cause to believe the respondent:

(A) Caused serious bodily injury, as defined in § 39-11-106, to the alleged domestic abuse victim;

(B) Strangled or attempted to strangle the alleged domestic abuse victim; or

(C) Used or displayed a deadly weapon, as defined in § 39-11-106.

(2) If the court or magistrate finds probable cause to believe that one (1) or more of the circumstances in subdivision (n)(1) did occur, unless the court or magistrate finds the offender no longer poses a threat to the alleged victim or public safety:

(A) The court or magistrate may, in addition to the twelve-hour hold period and victim notification requirements in subsection (h), extend



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the twelve-hour hold period up to twenty-four (24) hours after the time of arrest; and

(B) Prior to the offender's release on bond, the court or magistrate shall issue a no contact order containing all of the bond conditions set out in this section that are applicable to the protection of the domestic abuse victim.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it, and applies to arrests made on or after that date.